(25)

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition No.3561 of 2007

Petitioner	:	Dr. S.N. Jangde Son of Late shir C.r. Jangde, aged about 48 years, Working as an In-charge Block Medical Officer, Primary health Centre Janjgir (Nawagarh), District Janjgir-Champa (C.G.)
		Versus
Respondents	1.	State of Chhattisgarh, Through: The Secretary, Department of Health and Family Welfare, D.K.S. Bhawan, Raipur (C.G.)
	2.	The Director, health Service, Raipur (C.G.)
	3.	The Chief Medical and Health Officer, Janjgir, District Janjgir-Champa (C.G.)
	4.	The Collector, Janjgir, District Jzanjgir-Champa (C.G.)
	5.	Dr. R.D. Gupta, District T.B. Officer, Office of C.M.O. Janjgir, District Janjgir-Champa (C.G.).

(Writ Petition under Article 226 of the Constitution of India)

Single Bench: Hon'ble Justice Satish K. Agnihotri

Present : Shri V.K. Pandey, Advocate for the petitioner.
Shri Yashwant Singh Thakur, Govt. Advocate for the State.

ORDER
(Passed on 27th June, 2007)

The petitioner, by this petition, is challenging the legality and validity of the order dated 18.06.2007 (Annexure P-1), whereby the charge to the post of Block Medical Officer, Janjgir has been given to the respondent No.5.

2. Learned counsel for the petitioner submits that the petitioner was working as Incharge Block Medical Officer, Janjgir as per the order of the respondent No.3. The impugned order has been passed on the basis of some complaints made by some of the employees and officers, who were not working properly and the petitioner made complaint

against them. Since the respondent No.3 - Chief Medical and Health Officer, Janjgir was annoyed on account of the complaints made by the petitioner, the impugned order has been passed, withdrawing the charge from the petitioner and it has been given to Dr. R.D. Gupta, respondent No.5.

3. The submissions made by leaned counsel for the petitioner are not supported by any document. The order impugned does not indicate anything about stigma or punitive action against the petitioner. The order impugned is merely giving charge of the post to the respondent No.5.

4. The petitioner has no right to hold the post as Incharge Block Medical Officer, Primary Health Center, Janjgir, as per his choice. It is for the employer to post a person at appropriate place in public interest and administrative exigency.

5. In view of the foregoing, there is no merit in the case. Thus, this petition is dismissed summarily.

Sd/-
Satish K. Agnihotri
Judge

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